

August 17, 2005

VIA HAND DELIVERY

Charles Terreni Chief Clerk and Administrator South Carolina Public Service Commission Synergy Office Park 101 Executive Center Drive, Suite 100 Columbia, South Carolina 29210

Re:

South Carolina Electric & Gas Co. v. Aiken Electric Cooperative, Inc.

Docket Nos.: 2003-254-E and 2005-180-E

SGSL No.: 5793/1501

Dear Mr. Terreni:

I am filing with the Public Service Commission an original and eleven copies of SCE&G's Reply to Aiken Electric Cooperative's Answer and Counterclaim. Please return one copy, clocked in, to me via our courier.

By copy of this letter I am serving all parties with the same.

Thank you for your assistance in this matter.

Singerely,

Robert E. Tyson, Jr.

Robert E. Tyson, Jr. rtyson@sowell.com DD 803.231.7838

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C. Dukes Scott, Executive Director South Carolina Office of Regulatory Staff

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Shannon Bowyer, Hudson, Esquire

Wendy B. Cartledge, Esquire James B. Richardson, Jr. Esquire Patricia B. Morrison, Esquire

BEFORE THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA DOCKET NOS. 2003-254-E AND 2005-180-E

South Carolina Electric & Gas Co.,	8	M5 =
Complainant,) -vs-)		
Aiken Electric Cooperative, Inc.,		
Defendant.)		ा ः ं

SOUTH CAROLINA ELECTRIC & GAS COMPANY'S REPLY TO AIKEN ELECTRIC COOPERATIVE, INC.'S ANSWER AND COUNTERCLAIM

The Plaintiff, South Carolina Electric & Gas Co. ("SCE&G") hereby replies to the Answer and Counterclaim filed by defendant, Aiken Electric Cooperative, Inc.'s ("Aiken"), as follows:

FOR A FIRST DEFENSE

- 1. Except as is specifically admitted below, each allegation of the Answer and Counterclaim is denied.
- 2. Responding to the allegations contained in Paragraphs 1 through 22, these allegations do not require a response from SCE&G. To the extent a response is required, however, these allegations are denied.
 - 3. SCE&G denies the allegations contained in Paragraph 23.
 - 4. SCE&G denies the allegations contained in Paragraph 24,
- 5. SCE&G admits the allegations contained in Paragraph 25 that Aiken seeks the relief from the South Carolina Public Service Commission set out therein, but denies that Aiken is entitled to any such relief.

FOR A SECOND DEFENSE

- 6. SCE&G restates and reasserts each and every response provided above, not inconsistent herewith, as if restated herein verbatim.
- 7. SCE&G pleads the Answer and Counterclaim fails to state a claim for which relief can be granted; therefore, it must be dismissed.

WHEREFORE, having fully responded to the Answer and Counterclaim of defendant Aiken Electric Cooperative, Inc., SCE&G requests that the Counterclaim be dismissed, with costs and attorneys' fees and for such other and further relief as is deemed just and proper.

SOWELL GRAY STEPP & LAFFITTE, L.L.C.

Bv:

Robert E. Stepp

Robert E. Tyson, Jr.

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-and-

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Attorneys for Complainant South Carolina Electric& Gas Co.

Solumbia, South Carolina

BEFORE

THE PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKET NO.: 2003-254-E and 2005-180-E

South Carolina Electric and Gas Co.)	
Complainant,)	
vs.	CERTIFICATE OF SERVICE
Aiken Electric Cooperative, Inc.	
Defendant.	
)	

I, the undersigned employee of the law offices of Sowell Gray Stepp & Laffitte, L.L.C., attorneys for South Carolina Electric & Gas Company do hereby certify that I have served a copy of the pleading(s) hereinbelow specified via regular mail or hand delivery as indicated to the following address(es):

Pleadings:

SCE&G's Reply to Aiken Electric Cooperative, Inc.'s

Answer and Counterclaim

Counsel Served:

VIA HAND DELIVERY Val H. Stieglitz, Esquire Marcus A. Manos, Esquire David J. Black, Esquire

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